

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
 NORTHERN DISTRICT OF ALABAMA  
 MIDDLE DIVISION

98 JUL 10 PM 3: 30

U.S. DISTRICT COURT  
 N.D. OF ALABAMA

STANLEY DEWAYNE WINSTON,

Plaintiff,

vs.

CV 98-PT-1228-M

JUDGE WILLIAM H. RAY,

Defendant.

  
 ENTERED
MEMORANDUM OF OPINION

JUL 10 1998

The magistrate judge filed a report and recommendation on June 23, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for seeking monetary relief from a defendant who is immune from damages. On June 29, 1998, the plaintiff responded with a letter to the magistrate judge which will be treated as an objection to the report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b) for seeking monetary relief from a defendant who is immune from damages. A Final Judgment will be entered.

. DATED this 10<sup>th</sup> day of July, 1998.

  
 ROBERT B. PROBST

UNITED STATES DISTRICT JUDGE